

## APPENDIX I – RESPONSE TO REQUESTS 62 AND 66

1. The Panel's request #62 is:

*Confirm whether Christ College's submission seeking to rezone the alternative zone underlying their specific purpose school zone to HRZ is within scope given the site was inadvertently notified as HRZ and later re-notified as MRZ*

2. The Panel's request #66 is:

*Clarify the driver/scope for the proposed new 60% site coverage rule for the Former Christchurch Women's Hospital site. If 'contextual fit' has been a key consideration, please confirm whether this approach been taken in other instances to limit the application of the MDRS.*

3. A response to requests #62 and #69, prepared by Ms Piper, is **overleaf**.

# Response to IHP Hearing Requests

- Week 7 Topics- Specific Purpose: Clare Piper

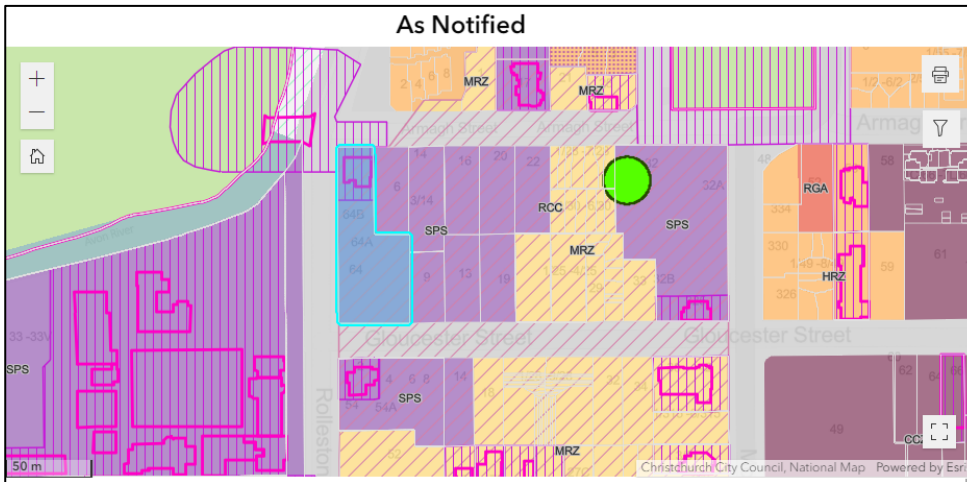
## Relevant Links:

- [s32 Report](#)
  - [s32 Provisions: School](#)
  - [s32 Provisions: Hospital](#)
- [s42A Report](#)
  - [s42A Provisions: School](#)
  - [s42A Provisions: Hospital](#)
- [Rebuttal Evidence](#)
- [Summary Statement](#) – 21 November 2023
- [Additional IHP Response](#) – 22 November 2023

**Question #62: Confirm whether Christ College's submission seeking to rezone the alternative zone underlying their specific purpose school zone to HRZ is within scope given the site was inadvertently notified as HRZ and later re-notified as MRZ**

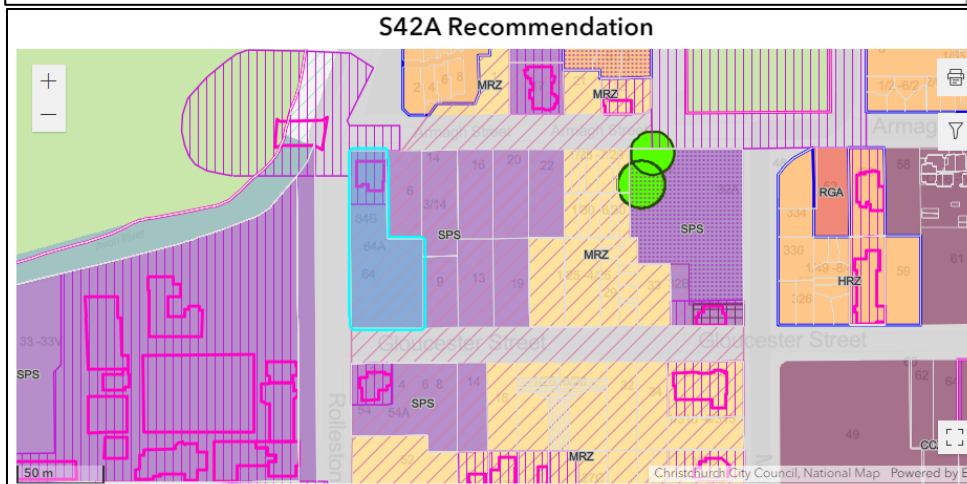
## Relevant submissions and evidence:

- [Submission - #699](#)
- [Evidence – Ms. Boulton](#)
- [Statement of Evidence \(Hearing 8 November\) – Ms Boulton](#)
- Christ's College –SPSZ: The following diagram explains the zoning for Christs College as notified and as recommended in the section 42A report.



### Notified:

- SPSZ with surrounding MRZ (QM RHA)
- Alternative zone: HRZ



### S42A Recommended:

- SPSZ with surrounding MRZ (QM RHA)
- Alternative zone: MRZ

The notified proposed alternative zone for the Christs College site was HRZ, whilst the notified planning maps for this area show the surrounding residential zone as proposed to be MRZ (QM RCA applied).

As noted in my s.42A report (para 8.3.9<sup>1</sup>):

*“The notified alternative zone for this site should have been commensurate with the surrounding notified residential zone, as shown on the notified planning maps. It appears the notified alternative zone tables were amended to incorrectly assume all formerly RCC zoned land was to be transferred to HRZ in the SPSZ alternative zone tables. Within the site, in different street blocks, are two heritage items and settings that are proposed to be subject to the built form standards in Chapter 9.3 Historic Heritage. As noted, the surrounding residential zoned land is proposed to be MRZ, with the QM RCA, and as such the alternative zone for this site should be MRZ to be commensurate with the surrounding residential zone”.*

Note that the above should reference QM RHA, not QM RCA.

As such, it would appear that the submission from Christ College (#699) seeking to retain the notified alternative zone of HRZ could be regarded as ‘in-scope’ as per the notified provisions, but regardless was rejected due to the acknowledged notification mistake of how to apply the QM’s to the SPSZ sites and a response for the SPSZ commensurate with the surrounding residential zoning.

SPSZ Alternative Zone	Operative SPSZ with RCC	Notified SPSZ with HDZ	Recommend SPSZ with MRZ (Surrounding MRZ)
Height	11m	39m	14m within 10m of internal boundary, otherwise 16m (MRZ - 11m)
Setbacks	Road – 2m Internal – 6m	Road – 2m Internal – 6m	Road – 4m (MRZ - 3m) Internal – 6m (MRZ - 1m/3m/3m)

If the alternative zone for the Christs College site was to be HDZ, this would enable much more development on the site under the SPSZ provisions.

The table above shows that if the site was to have an alternative zone of HRZ, with the surrounding residential zone being essentially MRZ (due to the QM being applied), the difference in the level of development enabled on the school site would not be commensurate with the surrounding residential environment that could be developed in accordance with the built form standards (i.e. height of school permitted to be 39m with surrounding residential height of 11m).

Whereas if the school site had an alternative zone of MRZ, the development would be in keeping with the surrounding MRZ, and the standard approach for school sites in the city (i.e. height of school permitted to be 14m within 10m of internal boundary, with the height limit in the surrounding residential zone at 11m).

For the above reasons, in considering the merit of the submission #699, it was determined that the notified alternative zone of HRZ for Christs College should not be applied, unless the surrounding residential land is also to be HRZ, which would only occur if the RHA QM was to be removed. This submission was therefore not supported and was recommended to be rejected.

Having considered this matter further, for the above reasons my recommendation in para 8.3.9 of my s42A Report, to reject the submission remains unchanged.

<sup>1</sup> s42A report – Clare Joan Piper – Section 8.3.9: [10B-Clare-Piper-section-42A-report-final.PDF \(ihp.govt.nz\)](#)

**Question #66: Clarify the driver/scope for the proposed new 60% site coverage rule for the Former Christchurch Women's Hospital site. If 'contextual fit' has been a key consideration, please confirm whether this approach been taken in other instances to limit the application of the MDRS.**

The rationale for the proposed new 60% site coverage rule for the Former Christchurch Women’s Hospital site is provided in the s32 report (para 4.3.4<sup>2</sup>) being, that,

*“For the hospital site surrounded by a High Density zone around the Central City zone which enables 10 storey or 32m in height (the former Women’s Hospital site only), a greater alignment of SP Hospital zone rules with these provisions can be considered a shift of medium to high significance, because of the change from the traditional height of hospital buildings (other than those of the Christchurch Hospital itself, which has a much greater height limit already) to a hospital form which is of a different character.”*

The s32 report (para 6.7.6) further explains the rationale for the proposed site coverage limiting stating that, *“Finally, a rule is proposed limiting coverage on the former Women’s Hospital site to 60%. This is because the site has long residential interfaces and will be enabled to 32 metres in height. If development was to occur across the whole site with no coverage limitation, there could be a considerable bulk of large buildings located to the north of the small residential sites on Gracefield Avenue, visually dominating them and diminishing privacy. While the continuous building length rule will assist in breaking up building mass, the coverage rule proposed will provide a realistic upper limit on the extent of that building mass.”*

It was noted in the s42A report (para 8.13.2<sup>3</sup>) that,

*“During the s42A review of Residential provisions, the proposed two-tier RD enablement approach for HRZ has been recommended to be removed, along with changes to the HRZ height provisions. The rationale for these changes is provided within the Residential s42A report and will not be repeated here. This now sees an increase of permitted maximum heights in the surrounding HRZ from 14 metres to 22 metres to the north of the site, and 39 metres to the south of the site, with different triggers for review of this enablement unable to now be applied to SPHZ (i.e. 4 or more units in HDZ)”*

This was summarised in a table (para 8.13.4) which for the Former Christchurch Women’s Hospital site, shows the maximum height existing provisions, notified, and recommended, and can be summarised as:

Operative DP Provisions	Notified	Recommended
14 metres  Except for 38 and 40 Gracefield, where the maximum building height shall be 11 metres.	14 metres at 10 metres from either a road boundary or an internal boundary.  Advice note: See Rule 13.5.4.1.3 RD13 for buildings between 14 metres and 20 metres in height, and in respect of the former Christchurch Women’s Hospital site, over 20 metres in height (to 32m)	14 metres within 10 metres of the internal boundary, otherwise 22 metres.

<sup>2</sup> S32 Report – Specific Purposes: [Plan-Change-14-HBC-NOTIFICATION-Section-32-Revised-provisions-for-SP-Schools-and-Hospitals2.pdf \(ccc.govt.nz\)](#)

<sup>3</sup> S42A Report – Specific Purposes - Clare Joan Piper: [10B-Clare-Piper-section-42A-report-final.PDF \(ihp.govt.nz\)](#)

Essentially, the permitted maximum height for the specific site has been increased from the current operative District Plan of 14 metres to now recommended to be 22 metres.

At the time of notification, the maximum permitted building height of 14 metres was not materially changed, just the restricted discretionary activity status to provide a pathway for consent up to 32 metres.

As noted in the s.42A report (para 8.13.6), with the removal of the site from the application of the proposed RD pathway including the application of the building length rule, I considered that existing rule RD2 for height breaches provided sufficient review of building heights of beyond 22 metres.

Supporting evidence on the site coverage provision for this site was provided by Mr. Fields within his original Technical Evidence (para 5.2.4 and Section 8 Summary of Recommendations <sup>4</sup>) and Statement of Evidence (para 173-187<sup>5</sup>). In summary, Mr. Field supported a recommendation for a maximum site coverage rule to be included on SPHZ sites within HRZ areas and was refined to be only applied to the Former Christchurch Women's Hospital site.

As such, given the specific location of this site being located within the Four Avenues, surrounded by HRZ and being of a significant size landholding, I consider the site coverage requirement for this specific site to be of a 'contextual fit' to the environment it is located within.

In terms of scope for the proposed site coverage requirement under the IPI, I considered the introduction of this new site coverage requirement to be appropriate in support of / consequential on the increase in 'enabled to 32 metres in height' and therefore a necessary consequential change to support Policy 3 and 5 of the NPSUD in accordance with section 80E(1)(b)(iii)(B) of the RMA. Despite this, recognising that there is currently no site coverage rule across the Former Christchurch Women's Hospital site, I highlighted in the section 42 report potential scope issues in respect of *Waikanae*.

With regards to 'whether this approach been taken in other instances to limit the application of the MDRS', as noted above the driver for greater enablement on the SPHZ specific site is Policy 3 of the NPSUD.

Other topics/zones are considered to have used the 'contextual fit' approach in accordance with section 80E(1)(b)(iii)(B) in response to enablement required under Policy 3, such as:

Central City (Ms. Gardiner):

- CCZ: 15.11.1.1 – P13 Residential activity; CCMU: 15.12.1.1 P16 Residential activity; CCMU(SF) 15.13.1.1 – P13 Residential activity – new clauses re outlook spaces, setbacks, outdoor living space.
- Rule 15.11.2.9 Sunlight and outlook at boundary with residential zone – provisions for buildings above 12m.
- The building tower provisions in CCZ, CCMU, and CCMU SF which seek to manage and shape the taller built form anticipated by the additional building height.

Commercial zones (Mr. Lightbody):

- Town Centre Zone
  - 15.4.2.11 Minimum Tower setback and Road Wall Height
  - 15.4.2.12 Minimum Tower dimension and separation
- Mixed Use Zone

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<sup>4</sup> [ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/Updated-Specific-Purpose-Hospital-Zone-Provisions-Technical-Review-10-March-2023.pdf](https://ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2023/PC14/Section-32-Appendices-1/Updated-Specific-Purpose-Hospital-Zone-Provisions-Technical-Review-10-March-2023.pdf)

<sup>5</sup> [20-William-Field-Statement-of-evidence-final.PDF \(ihp.govt.nz\)](https://ihp.govt.nz/20-William-Field-Statement-of-evidence-final.PDF)

- 15.10.1.1 P12 Industrial Activities permitted activities - PC 14 proposed excluding Metal product manufacturing and demo/salvage yard.

I note that when applying the 'contextual fit' approach (i.e. the use of additional provisions, such as site coverage) in the residential zones to limit application of MDRS, this has been achieved only via QM's.